

STAT

Office of Legislative Liaison
Routing Slip

TO:	ACTION	INFO
1. D/OLL		✓
3. DD/OLL		✓
3. Admin Officer		
4. Liaison		✓
5. Legislation	✓	
6.		
7.		
8.		
9.		
10.		

SUSPENSE

5 Mar 84
Date

Action C

Remarks

27 Feb 84
e/Date

STAT

STAT

LCC



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

Chrono

OLL #

84-0874

SPECIAL

February 24, 1984

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer

Department of the Treasury
 Department of Defense
 Department of State
 Central Intelligence Agency ✓
 Office of Personnel Management

SUBJECT: H.R. 4206, a bill "To amend the Internal Revenue Code of 1954 to exempt from Federal income taxes members of the Armed Forces of the United States who die as a result of hostile actions overseas," as passed by the House.

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

Please provide us with your views no later than

March 5, 1984

Direct your questions to Gregory Jones (395-3856), of this office.

James C. Murr for
 Assistant Director for
 Legislative Reference

Enclosures

cc: M. Esposito
 T. Stanners
 H. Schreiber

H 754

CONGRESSIONAL RECORD — HOUSE

February 22, 1984

programs but I think it is a risk well worth taking.

Let us prove the pundits and odds-makers wrong. Let us show the American public that it is not business as usual but that Congress has the right to stop more, aging the future to garner a few extra votes in November.

IN SUPPORT OF LINE-ITEM VETO

(Mr. McCOLLUM asked and was given permission to address the House for 1 minute and to revise and to extend his remarks.)

Mr. McCOLLUM. Mr. Speaker, all of us were just home for a district work period, and I am sure that like myself most of the Members were asked about the deficits we have been hearing about so much from both sides of the aisle lately, and I am sure that their constituents were just as confused as mine about all the finger-pointing that goes on and no action being taken up here. Republicans point at Democrats, Democrats point at Republicans, some folks point at Congress, and other folks point at the President, and so on.

The bottom line problem with our not getting at deficits is the lack of accountability. We can point fingers all we want, but it is hard to get action when there are no clear votes being taken on these basic issues. We have packages of authorization bills and packages of appropriation bills that come down here, and many times it is now impossible for us to get specific votes that would allow us to demonstrate who stands on what issues when it comes to the specifics of money bills.

If we only had the line-item veto, like my good friend and distinguished colleague, the gentleman from Mississippi, called for a few minutes ago, we would not have this problem. The President could be accountable, we could hold him accountable, and if he vetoed something, this Congress could clearly go on record about that particular item.

Mr. Speaker, the people who are not accountable right now are the Members of the House Democratic leadership, who are not allowing us a chance to vote on the line-item veto so we can show the American public who is really responsible for those deficits.

WHERE THE BLAME FOR FEDERAL SPENDING LIES

(Mr. PHILIP M. CRANE asked and was given permission to address the House for 1 minute and to revise and to extend his remarks.)

Mr. PHILIP M. CRANE. Mr. Speaker, I think we have all enjoyed the pleasure of listening to Democrats express concern over deficit spending, and as a friend of mine back in Illinois said during the debate, that is a little like Ossie Wales doing commercials for dentistry jeans.

I think perhaps some of our Democratic friends have seen Mr. Mondale's budget and they are anticipating the magnitude of the tax increases that would be necessary to try to achieve a balanced budget given an estimated \$130 billion increase in spending beyond what we are spending now.

I was also taken by the Speaker's comment in U.S. News & World Report that President Reagan is the all-time record budget buster in history, and I would simply remind all of us that we alone in this body have the exclusive jurisdiction to originate all spending bills. No President can spend a penny that has not been mandated originally in this body—not even our colleagues in the other body. The origination of all spending is exclusively a function of the House of Representatives.

Mr. Speaker, Thomas Jefferson said, "If we can prevent government from wasting the labors of the people under the pretense of caring for them, they must be happy."

AN ATTEMPT TO GAIN CONSIDERATION OF A BALANCED BUDGET AMENDMENT

(Mr. LEWIS of California asked and was given permission to address the House for 1 minute, and to revise and to extend his remarks.)

Mr. LEWIS of California. Mr. Speaker, to follow up on the comments of my good friend, the gentleman from Illinois, I would like to share with the House the fact that during this recent recess, in meeting after meeting all over, in a huge district in which you could drop 5 Eastern States easily, 32,000 square miles of district, people were asking, why can the Congress not live within its means, clearly reflecting that if there was a chink in the genius of the Founding Fathers, it was that they could not possibly imagine that shortly down the line elected Representatives would spend so much of their money and enjoy in such a delighted fashion putting the country into debt.

Mr. Speaker, I have cleared with the minority leadership for a unanimous-consent request to bring forth the balanced-budget amendment. I would ask the majority for their clearance for that request. Do I hear any?

Mr. MICHAEL SCHAFFNER. Mr. Speaker—

The SPEAKER pro tempore (Mr. McGOWLEY). No request has been entertained by the Chair.

Mr. LEWIS of California. That, Mr. Speaker, makes it very clear that the Democrats around this place do not want to balance the budget.

SCRAPPING OF THE MX WOULD HELP BRING DEFICITS DOWN

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute, and to revise and to extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, we are hearing a lot of people talking

about the deficit, and I have a good idea as to what we can possibly do to bring it down a little bit. That is to get rid of the MX.

Over the break it was very interesting because the Governor of Nebraska, the Governor of Utah, the Governor of Colorado, and many of the mayors in the West have all been pleading with the Air Force to please have environmental impact hearings on what the deployment of the MX is going to be. Everybody out there realizes that it is really a weapons system without a purpose, and we are going to spend megabucks and gigabucks, with all sorts of damage being done. I must say that it was probably one of Carter's worst ideas, and yet it seems to be the only idea that President Carter had that Ronald Reagan really likes.

So, Mr. Speaker, I would really hope that in this session we can do away with the MX and listen to the people out there who are going to be most affected by it, plus the taxpayers who are going to have to pay for this silly thing forever and ever and get nothing in return for it.

ATTEMPT TO GAIN CONSIDERATION OF VOLUNTARY SCHOOL PRAYER CONSTITUTIONAL AMENDMENT

(Mr. HUNTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUNTER. Mr. Speaker, at this time I would hope to offer a unanimous-consent request calling for consideration of the voluntary school prayer constitutional amendment.

The Chair has ruled that in order to make this request I must have the clearance of the majority and minority leaderships.

This request has been cleared by the minority leadership.

I would now yield to a spokesman from the majority leadership for appropriate clearance.

Mr. Speaker, I hear no response. That should make it clear to the American people who stands in the way of voluntary school prayer—the Democratic leadership of this House.

□ 1550

AMENDING INTERNAL REVENUE CODE OF 1954 TO EXEMPT CERTAIN MILITARY AND CIVILIAN EMPLOYEES FROM FEDERAL INCOME TAXES

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 4206) to amend the Internal Revenue Code of 1954 to exempt from Federal income taxes members of the Armed Forces of the United States who die as a result of hostile actions overseas, and for its immediate consideration in the House.

CONGRESSIONAL RECORD — HOUSE

H 755

May 10, 1984

Clerk read the title of the bill.
 SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

ARCHER. Reserving the right to object, Mr. Speaker, and I shall not act, in its lead editorial one day last week, the San Antonio Express described H.R. 4206 as "one of those rare pieces of legislation that is so right and so fair that Congress ought to pass it unanimously."

I want to thank the chairman of the Ways and Means Committee, Mr. Rostenkowski, for helping to make that recommendation come about. The gentleman from Illinois is to be commended for moving this bill forward—so that it can become law in time to help those families facing an April 16 deadline for filing tax returns for their loved ones who died in hostile action overseas last year.

It is important to note that this is not a totally new provision being added to the Tax Code. Rather, it is an expansion of an existing provision which now only applies to those who die as a result of wounds sustained in an area designated as a "combat zone." Executive Order of the President. In the absence of any such designation since Vietnam, current law does not apply to any of those killed in Lebanon, Grenada, Iran, or elsewhere in recent years.

What we are doing with this change is to provide equitable tax treatment for those who die as a result of hostile action overseas—regardless of any official "combat zone" designation. It covers members of the Armed Forces and Federal civilian employees.

The measure applies retroactively in providing the tax exemption to those who have died of wounds sustained overseas since December 31, 1979—and will apply to all such cases in the future.

The exemption applies to the years between the wound and death, if different, as well as the intervening time.

The greatest benefit of the provision is simplification of what is often a complex paperwork burden which is added to the emotional stress of families who have to deal with the loss of a loved one. In some cases, the limited economic benefit derived will be at an important time in the lives of those who must bear the additional financial burden associated with their loss.

There is painfully little that we can do to relieve the anguish of those who have lost loved ones in hostile action overseas. Perhaps this is one small, however, that we can help relieve some of the additional burden they bear.

Thank you, Mr. Chairman, for providing this opportunity to show those families that their sacrifice has not been forgotten. I hope the entire House will join us now, as so many are already cosponsors, in pressing the earliest possible enactment of this measure.

(Mr. ARCHER asked and was given permission to revise and extend his remarks.)

MR. STARK. Mr. Speaker, will the gentleman yield?

MR. ARCHER. Further reserving the right to object, Mr. Speaker, I am happy to yield to the gentleman from California.

(Mr. STARK asked and was given permission to revise and extend his remarks.)

MR. STARK. Mr. Speaker, I rise in support of H.R. 4206, a bill which would provide an exemption from income tax for certain Government personnel who die as a result of hostile action directed against the United States.

Last November the Select Revenue Measures Subcommittee, which I chair, favorably reported H.R. 4206, authored by Mr. ARCHER. This legislation seeks to provide some small compensation to those brave Federal employees, both military and civilian, who die as a result of terroristic activities outside of the United States. The bill would exempt them from Federal income tax in the year in which they die. Unfortunately, we live in a world where attacks upon Americans abroad are increasing. American military personnel who often serve vital peacekeeping functions abroad are increasingly falling victim to the barbarous attacks of terrorists.

Our civilian employees are no more immune. Just last week the head of the American segment of the peacekeeping force in the Sinai was gunned down by terrorists in Italy. We must do all we can to protect our personnel serving abroad. In those sad cases where a death does occur, this bill provides some small measure of relief and assistance to the grieving families. Mr. Speaker, this bill has my strongest endorsement, as well as that of my subcommittee. It is a pleasure to speak in its behalf, and I urge its immediate enactment.

MR. ARCHER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois (Mr. ROSTENKOWSKI)?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4206

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INCOME TAXES OF MEMBERS OF ARMED FORCES ON DEATH.

(a) GENERAL RULE.—Section 692 of the Internal Revenue Code of 1954 (relating to income taxes of members of Armed Forces on death) is amended by adding at the end thereof the following new subsection:

(c) MEMBERS OF ARMED FORCES DYING AS RESULT OF HOSTILE ACTIONS OVERSEAS.—In the case of any individual who dies while in active service as a member of the Armed Forces of the United States, if such death occurs as a result of wounds, disease, or injury incurred as a result of a hostile action outside the United States—

"(1) any tax imposed by this subtitle shall not apply with respect to the taxable year in which falls the date of his death, or with respect to any prior taxable year ending on or after the first day he so served outside the United States, and

"(2) any tax under this subtitle for taxable years preceding those specified in paragraph (1) which is unpaid at the date of his death (including interest, additions to tax, and additional amounts) shall not be assessed, and if assessed the assessment shall be abated, and if collected shall be credited or refunded as an overpayment.

The preceding sentence shall not apply to the extent that subsection (a) applies to the individual."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to all taxable years (whether beginning before, on, or after the date of the enactment of this Act) of individuals dying after December 31, 1979.

The SPEAKER pro tempore. The gentleman from Illinois (Mr. ROSTENKOWSKI) is recognized for 1 hour.

MR. ROSTENKOWSKI. Mr. Speaker, this unusual procedure is being utilized due to the necessity for timely action on this bill, H.R. 4206 would provide that no U.S. income tax applies in the case of certain individuals, who die as a result of wounds or injury incurred outside the United States in terroristic or military action against the United States or its allies, while a member of the Armed Forces of the United States or while in the civilian employ of the U.S. Government.

Recent events in Lebanon and Grenada have focused the attention of the Nation on the sacrifice that members of the U.S. Armed Forces—and other U.S. Government employees—must be prepared to make for our country when they leave our borders. Federal income taxes should not be imposed on the income of U.S. military or civilian employees who in the course of duty lose their lives at the hands of foreign enemies of the United States. The families of these employees of the United States have withstood sufficient burdens, and they should not have the additional burden of Federal tax imposed on the employee's income.

The Committee on Ways and Means originally approved this legislation as part of the miscellaneous committee amendment to H.R. 4170. With the rapidly approaching filing deadline for income tax returns, it appeared that the relief afforded by this legislation would not be timely unless immediate action were taken. I would note that the administration strongly supports this legislation and, in fact, included it in their fiscal year 1985 budget submission. The revenue loss from the bill is estimated to be less than \$5 million annually.

I urge my colleagues to recognize the urgency of this matter and to support this legislation.

MR. MATSUI. Mr. Speaker, the House of Representatives is being asked to approve legislation which would exempt any income tax levied by servicemen who died as a result of

H 756

CONGRESSIONAL RECORD — HOUSE

February 22, 1984

recent hostile actions, such as in Lebanon or Grenada. I urge all of my colleagues to join me in the effort to gain passage of this important bill.

All of us throughout the Nation are only too aware of how little we can do to relieve the pain and anguish of the families who have lost their loved ones in recent hostile actions overseas.

In 1970, the Congress enacted legislation treating individuals who had been removed from a U.S. vessel and who died while being illegally detained by the Democratic People's Republic of Korea during 1968 as serving in a combat zone (Pub. L. 91-235). Thus, service personnel who were members of the crew of the U.S.S. *Pueblo*, illegally detained in 1968 by North Korea and who died during the detention were eligible for the income tax exclusion available for service personnel who die in combat zones.

Under legislation enacted in 1980, if any American hostage held captive in Iran between November 4, 1979, and December 31, 1981, died as a result of injury or disease or physical or mental disability incurred or aggravated while in captive status, any income taxes would not have applied with respect to the year in which the individual died or any prior year ending on or after the first day the individual was in captive status. This treatment would have applied to military and civilian personnel of the United States and to certain other individuals, as well as to certain other U.S. taxpayers taken captive outside Iran on or before December 31, 1981. Moreover, if there had been any unpaid income tax liability of such an individual from years prior to captivity, the liability would have been forgiven. This total income tax exemption for American hostages who died as a result of captive status would have been available only if death had occurred within 2 years after the individual ceased to be in captive status.

Recent events in Lebanon and Grenada have focused the attention of the Nation on the sacrifice that members of the U.S. Armed Forces—and other U.S. Government employees—must be prepared to make for our country when they leave our borders. I believe that Federal income taxes should not be imposed on the income of U.S. military or civilian employees who in the course of duty lose their lives at the hands of foreign enemies of the United States. The families of these employees of the United States have withstood sufficient burdens, and they should not have the additional burden of Federal tax imposed on the employee's income.

Forgiveness of income tax only for the period from the year of the death-causing injuries or wounds to the year of death would have inequitable results. Under such a limitation, a soldier killed in a terroristic attack on a U.S. base in a foreign country on January 1 would be exempt from income tax only on 1 day's income, while a soldier killed in an attack the previous

December 31 would be exempt from income tax on an entire year's income. Therefore, it is more equitable to extend the tax exclusion under the bill to income for the year preceding the year of injury.

The bill provides special Federal income tax rules for certain individuals who die while a member of the Armed Forces of the United States or while in the civilian employ of the Government of the United States.

If death occurs as a result of wounds or injury incurred outside the United States in a hostile action, then no U.S. income tax applies for the year of death or for any earlier year in the period beginning with the last year ending before the year in which the wounds or injury occurred. The bill defines the term hostile action to mean any terroristic activity directed against the United States or any of its allies, or any military action—not including training exercises—involving U.S. Armed Forces and resulting from violence or aggression against the United States or any of its allies—or the threat of such violence or aggression. The term "military action" includes a military accident, such as a military helicopter crash. The term "allies of the United States" includes any multinational force in which the United States is participating.

The subcommittee is aware of several circumstances in which the bill is intended to apply. The bill is to apply with respect to U.S. military or civilian employees who die—or who have died—as a result of the bombing of the U.S. Embassy in Beirut, Lebanon, or as a result of the bombing, shelling, or sniper attacks on the U.S. Marine headquarters there. Similarly, the bill is to apply with respect to other U.S. personnel who were participating in a United Nations peacekeeping force when killed in Lebanon by land mines or snipers in 1982 or 1983—or thereafter. The bill also applies with respect to the U.S. service personnel who died as a result of the Government's attempt to rescue the American hostages in Iran, inasmuch as that rescue attempt constituted a military action involving U.S. Armed Forces within the meaning of the bill. The bill also is to apply to U.S. service personnel who have died in a hostile action in Grenada.

With House approval of the bill, the Senate is sure to act in an expeditious manner and a firm direction will be available for the families of these slain servicemen. At least some of the tremendous economic hardships that the families suffer will be relieved by this action.

AMENDMENT IN THE NATURE OF A SUBSTITUTE
OFFERED BY MR. ROSTENKOWSKI

Mr. ROSTENKOWSKI. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the Nature of a Substitute offered by Mr. ROSTENKOWSKI: Strike all after the enacting clause and insert:

SECTION 1. Income taxes of certain military and civilian employees of the United States dying as a result of injuries sustained overseas.

(a) GENERAL RULE.—Section 692 of the Internal Revenue Code of 1954 (relating to income taxes of members of the Armed Forces on death) is amended by adding at the end thereof the following new subsection:

(c) CERTAIN MILITARY OR CIVILIAN EMPLOYEES OF THE UNITED STATES DYING AS A RESULT OF INJURIES SUSTAINED OVERSEAS.—

"(1) IN GENERAL.—In the case of any individual who dies while a military or civilian employee of the United States, if such death occurs as a result of wounds or injury incurred outside the United States in a terroristic or military action, any tax imposed by this subtitle shall not apply—

"(A) with respect to the taxable year in which falls the date of his death, and

"(B) with respect to any prior taxable year in the period beginning with the last taxable year ending before the taxable year in which the wounds or injury were incurred.

"(2) TERRORISTIC OR MILITARY ACTION.—For purposes of paragraph (1), the term 'terroristic or military action' means—

"(A) any terroristic activity directed against the United States or any of its allies, and

"(B) any military action involving the Armed Forces of the United States and resulting from violence or aggression against the United States or any of its allies (or threat thereof).

For purposes of the preceding sentence, the term 'military action' does not include training exercises.

"(3) TREATMENT OF MULTINATIONAL FORCES.—For purposes of paragraph (2), any multinational force in which the United States is participating shall be treated as an ally of the United States."

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply with respect to all taxable years (whether beginning before, on, or after the date of the enactment of this Act) of individuals dying after December 31, 1979, as a result of wounds or injuries incurred after such date.

(2) STATUTE OF LIMITATIONS WAIVED.—Notwithstanding section 6511 of the Internal Revenue Code of 1954, the time for filing a claim for credit or refund of any overpayment of tax resulting from the amendment made by subsection (a) shall not expire before the date 1 year after the date of the enactment of this Act.

Mr. ROSTENKOWSKI (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD. The amendment simply embodies the technical changes in the bill requested by the Treasury Department.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ROSTENKOWSKI).

The amendment in the nature of a substitute was agreed to.

and was referred to be engrossed and a third time was read the same and passed.

The title of the bill was amended so as to read: "A Bill to amend the Internal Revenue Code of 1954 to exempt Federal income taxes certain military and civilian employees of the United States dying as a result of injuries sustained overseas."

A motion to reconsider was laid on table.

GENERAL LEAVE

MR. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3525

MR. DANNEMEYER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3525.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.
February 22, 1984.

MR. THOMAS P. O'NEILL, JR.
The Speaker, House of Representatives,
Washington, D.C.

Dear MR. SPEAKER: Pursuant to the permission granted in Clause 5, Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit sealed envelopes received from The White House at 11:5 a.m. on Wednesday, February 22, 1984, as follows:

Said to contain a message from the President whereby he transmits the seventh annual message for fiscal year 1984 under the Employment Control Act of 1974; and

Said to contain a message from the President whereby he transmits the annual report for fiscal year 1983 of the Administration on Aging of the Department of Health and Human Services.

With thanks, I am,
Sincerely yours,

BENJAMIN J. GUTHRIE,
Clerk, House of Representatives.

OPEN NEW DEFERRALS OF BUDGET AUTHORITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H.R. 6000, NO. 98-173)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the

Committee on Appropriations and ordered to be printed:

(For message, see proceedings of the Senate of today, Wednesday, February 22, 1984.)

ANNUAL REPORT FOR FISCAL YEAR 1983 OF ADMINISTRATION ON AGING OF DEPARTMENT OF HEALTH AND HUMAN SERVICES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor.

(For message, see proceedings of the Senate of today, Wednesday, February 22, 1984.)

APPOINTMENT AS MEMBERS OF U.S. GROUP OF NORTH ATLANTIC ASSEMBLY

The SPEAKER. Pursuant to the provisions of section 1928a of title 22, United States Code, the Chair appoints as members of the U.S. Group of the North Atlantic Assembly the following Members on the part of the House:

Mr. FASCELL of Florida, chairman; Mr. ROSE of North Carolina, vice chairman; Mr. BROOKS of Texas; Mr. ANNUNZIO of Illinois; Mr. HAMILTON of Indiana; Mr. GARCIA of New York; Ms. OAKAR of Ohio; Mrs. BURTON of California; Mr. WHITEHURST of Virginia; Mr. HORTON of New York; Mr. O'BRIEN of Illinois; and Mr. SOLOMON of New York.

TO ESTABLISH THE SELECT COMMITTEE ON HUNGER

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 15 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 15

Resolved, That there is hereby established in the House of Representatives a select committee to be known as the Select Committee on Hunger (hereinafter referred to as the "select committee").

FUNCTIONS

Sec. 2. The select committee shall not have legislative jurisdiction. The select committee shall have authority—

(1) to conduct a continuing comprehensive study and review of the problems of hunger and malnutrition, including but not limited to, those issues addressed in the reports of the Presidential Commission on World Hunger and the Independent Commission on International Development Issues, which issues include—

(A) the United States development and economic assistance program and the executive branch structure responsible for administering the program;

(B) world food security;

(C) trade relations between the United States and less developed countries;

(D) food production and distribution;

(E) corporate and agribusiness efforts to further international development;

(F) policies of multilateral development banks and international development institutions; and

(G) food assistance programs in the United States;

(2) to review any recommendations made by the President, or by any department or agency of the executive branch of the Federal Government, relating to programs or policies affecting hunger or malnutrition; and

(3) to recommend to the appropriate committees of the House legislation or other action the select committee considers necessary with respect to programs or policies affecting hunger or malnutrition.

APPOINTMENT AND MEMBERSHIP

Sec. 3. (a) The select committee shall be composed of seventeen members of the House, who shall be appointed by the Speaker, one of whom he shall designate as chairman.

(b) Any vacancy occurring in the membership of the select committee shall be filled in the same manner in which the original appointment was made.

AUTHORITY AND PROCEDURES

Sec. 4. (a) For purposes of carrying out this resolution, the select committee is authorized to sit and act during the present Congress at such times and places within the United States; including any Commonwealth or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned, and to hold such hearings as it deems necessary.

(b) The provisions of clauses 1, 2, and 3 of rule XI of the Rules of the House of Representatives shall apply to the select committee.

ADMINISTRATIVE PROVISIONS

Sec. 5. (a) Subject to the adoption of expense resolutions as required by clause 5 of rule XI of the Rules of the House of Representatives, the select committee may incur expenses in connection with its duties under this resolution.

(b) In carrying out its functions under this resolution, the select committee is authorized—

(1) to appoint, either on a permanent basis or as experts or consultants, such staff as the select committee considers necessary;

(2) to prescribe the duties and responsibilities of such staff;

(3) to fix the compensation of such staff at a single per annum gross rate which does not exceed the highest rate of basic pay, as in effect from time to time, of level V of the Executive Schedule in section 5316 of title 5, United States Code;

(4) to terminate the employment of any such staff as the select committee considers appropriate; and

(5) to reimburse members of the select committee and of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties and responsibilities for the select committee, other than expenses in connection with any meeting of the select committee held in the District of Columbia.

□ 1600

Mr. HALL of Ohio (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read, printed in the RECORD, and open to amendment at any point.

H 758

CONGRESSIONAL RECORD - HOUSE

February 22, 1984

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. DANNEMEYER. Mr. Speaker, reserving the right to object, I did not hear the gentleman's comment.

The SPEAKER. The gentleman asks that the reading be dispensed with.

Mr. DANNEMEYER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. DANNEMEYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. DANNEMEYER. Under the procedure under which this measure is brought before the House, an amendment in the nature of a substitute, would an amendment to this measure be in order?

The SPEAKER. Not unless the gentleman from Ohio yields for that purpose or the previous question is defeated.

Mr. DANNEMEYER. Would a motion to commit be in order?

The SPEAKER. Not with instructions.

Mr. DANNEMEYER. A motion without instructions would be in order?

The SPEAKER. There is no motion to recommit in order. This is a privileged resolution reported from the Committee on Rules.

Mr. DANNEMEYER. I thank the Speaker.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The SPEAKER. The Clerk will report the committee amendment in the nature of a substitute.

The Clerk read as follows:

Strike all after the resolving clause and insert:

That there is hereby established in the House of Representatives a select committee to be known as the Select Committee on Hunger (hereinafter referred to as the "select committee").

FUNCTIONS

Sec. 2. (a) The select committee shall not have legislative jurisdiction. The select committee shall have authority—

(1) to conduct a continuing comprehensive study and review of the problems of hunger and malnutrition, including but not limited to those issues addressed in the reports of the Presidential Commission on World Hunger and the Independent Commission on International Development Issues, which issues include—

(A) the United States development and economic assistance program and the executive branch structure responsible for administering the program;

B) world food security;

C) trade relations between the United States and less developed countries;

(D) food production and distribution;

(E) corporate and agribusiness efforts to further international development;

(F) policies of multilateral development banks and international development institutions; and

(G) food assistance programs in the United States.

(2) to review any recommendations made by the President, or by any department or agency of the executive branch of the Federal Government, relating to programs or policies affecting hunger or malnutrition; and

(3) to recommend to the appropriate committees of the House legislation or other action the select committee considers necessary with respect to programs or policies affecting hunger or malnutrition.

(b) Nothing contained in this resolution shall be construed to limit or alter the legislative and oversight jurisdiction of any standing committee of the House under rule X of the Rules of the House of Representatives.

APPOINTMENT AND MEMBERSHIP

Sec. 3. (a) The select committee shall be composed of seventeen Members of the House, who shall be appointed by the Speaker, one of whom he shall designate as chairman:

(b) Any vacancy occurring in the membership of the select committee shall be filled in the same manner in which the original appointment was made.

(c) For purposes of this section, the term "Members" shall include any Representative in, or Delegate or Resident Commissioner to, the House of Representatives.

AUTHORITY AND PROCEDURES

Sec. 4. (a) For purposes of carrying out this resolution, the select committee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned, and to hold such hearings as it deems necessary.

(b) The provisions of clauses 1, 2, and 3 of rule XI of the Rules of the House of Representatives shall apply to the select committee except the provisions of clause 2(m)(1)(B) of rule XI relating to subpoena power.

(c) Nothing contained in subsection (a) of this section shall be construed to limit the applicability of clause 2(t) of rule XI of the Rules of the House of Representatives to the select committee.

ADMINISTRATIVE PROVISIONS

Sec. 5. (a) Subject to the adoption of expense resolutions as required by clause 5 of rule XI of the Rules of the House of Representatives, the select committee may incur expenses in connection with its duties under this resolution.

(b) In carrying out its functions under this resolution, the select committee is authorized—

(1) to appoint, either on a permanent basis or as experts or consultants, such staff as the select committee considers necessary;

(2) to utilize the services of the staffs of those committees of the House from which Members have been selected for membership on the select committee;

(3) to prescribe the duties and responsibilities of such staff;

(4) to fix the compensation of such staff at a single per annum gross rate which does not exceed the highest rate of basic pay, as in effect from time to time, of level V of the Executive Schedule in section 5316 of title 5, United States Code;

(5) to terminate the employment of any such staff as the select committee considers appropriate; and

(6) to reimburse members of the select committee and of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties and responsibilities for the select committee, other than expenses in connection with

any meeting of the select committee held in the District of Columbia.

REPORTS AND RECORDS

Sec. 6. (a) The select committee shall report to the House as soon as practicable during the present Congress, the results of its investigation and study, together with such recommendations as it deems advisable.

(b) Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

(c) Any such report shall be referred to the committee or committees having jurisdictions over the subject matter thereof.

(d) The records, files, and materials of the select committee shall be transferred to the Clerk of the House.

Mr. HALL of Ohio (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. DASCHLE). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. HALL) is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Tennessee (Mr. QUILLEN) for purposes of debate only, pending which I yield myself such time as I may consume.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, House Resolution 15 establishes a Select Committee on Hunger. It is a matter of original jurisdiction of the Committee on Rules, and as a privileged resolution is now being considered in the House under the 1-hour rule.

The Select Committee on Hunger shall not have legislative jurisdiction, but shall have authority to conduct a continuing and comprehensive study of the problems of domestic and international hunger. The select committee will review executive branch recommendations relating to hunger and recommend legislation relating to hunger to the appropriate committees of the House.

The Select Committee on Hunger would permit a broad perspective on the hunger problem not currently available through any of the standing committees. Such a committee would be a vehicle through which the House could conduct comprehensive oversight of many related issues within the jurisdiction of a number of committees. Jurisdiction over hunger issues is now shared by at least 8 of the 22 House standing committees and numerous subcommittees.

The Committee on Rules reported House Resolution 15 with an amendment in the nature of a substitute. As reported, the language of the resolution conforms to the model resolution appearing in "Guidelines for the Es-